E1

27. (Amended) The film acoustic wave device according to claim 41, wherein a length of the upper electrode is changed by the position at the wafer.

28. (Amended) The film acoustic wave device according to claim 41, wherein a width of the upper electrode is changed by the position at the wafer.

29. (Amended) The film acoustic wave device according to claim 41, wherein the upper electrode includes a plurality of upper electrodes, wherein distances between the upper electrodes are changed by the position at the wafer.

30. (Amended) The film acoustic wave device according to claim 41, further comprising a bonding pad for connecting with the upper electrode, wherein a shape of the bonding pad is changed by the position at the wafer.

E2

33. (Amended) The film acoustic wave device according to claim 41, further comprising a capacitor provided on the same semiconductor substrate as the film acoustic wave device, wherein a capacitance of the capacitor is changed by the position of the wafer.

E3 cont.

34. (Amended) The film acoustic wave device according to claim 41, wherein the semiconductor substrate is made of gallium arsenide (GaAs); the piezoelectric thin film is made of lead titanate ($PbTiO_3$); and at least one of the upper electrode is a conductor substantially made of platinum (Pt).

35. (Amended) The film acoustic wave device according to claim 41, wherein the a semiconductor substrate is made of silicon (Si); the piezoelectric thin film is made of lead titanate ($PbTiO_3$); and at least one of the upper electrode is a conductor substantially made of platinum (Pt).

36. (Amended) The film acoustic wave device according to claim 41, wherein the piezoelectric thin film is made of PZT ($PbTiO_3$-$PbZrO_3$); and at least one of the upper electrode and the ground electrode is a conductor substantially made of platinum (Pt).

37. (Amended) The film acoustic wave device according to claim 41, wherein the piezoelectric thin film is made of zinc oxide (ZnO).

38. (Amended) The film acoustic wave device according to claim 41, wherein the piezoelectric thin film is made of aluminum nitride (AlN).

E2 cncld

39. (Amended) The film acoustic wave device according to claim 41, further comprising an inductor between the semiconductor substrate and the ground electrode.

Please add the following claims:

E3

--41. A film acoustic wave device comprising: a semiconductor substrate comprising one of a plurality of sections of a wafer; a ground electrode formed on top of the semiconductor substrate; a piezoelectric thin film formed on top of the ground electrode; and an upper electrode formed on top of the piezoelectric thin film, wherein a pattern shape for the film acoustic wave device is changed by a position at the wafer.--

REMARKS

Claims 1-15, 25, and 27-41 are pending in the present application. Claim 26 has been canceled. Claim 41 has been added. Claims 1, 15, 25, 40, and 41 are independent.

35 U.S.C. § 112, SECOND PARAGRAPH, REJECTION

Claims 27-39 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In page 2 of the outstanding Office Action, the Examiner seems to interpret the feature "a semiconductor substrate made of one of